

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

JOHN LEELING, JOANIE DUDDEN, )  
dba DUDDEN GRAVEL COMPANY, )  
His Employer, and BITUMINOUS )  
INSURANCE COMPANY, Employer's )  
Workers' Compensation )  
Insurance Carrier, )

Plaintiffs, )

v. )

LINDSAY KAISER, )  
Defendant. )

4:08CV3141

MEMORANDUM AND ORDER

---

Text notices were sent to plaintiffs' counsel in July advising him of the requirement to file corporate disclosure statements in accordance with [Fed. R. Civ. P. 7.1](#). When none was filed, orders to show cause were entered August 4 giving plaintiffs until August 25, 2008 to file the corporate disclosure statements or show cause why they could not comply with the rule. No response was filed.

In addition, no summons has apparently been served on defendant, as required by [Fed. R. Civ. P. 4\(m\)](#).

IT THEREFORE HEREBY IS ORDERED,

1. Plaintiffs are given until November 17, 2008 to either (a) file the required corporate disclosure statements, or (b) show cause in writing why this matter should not be dismissed for failure to prosecute with reasonable diligence and for failure to comply with a court order. See [Fed. R. Civ. P. 41\(b\)](#); NECivR 41.1.

2. Plaintiffs are given 30 days to serve defendant or show cause, if any there be, why this matter should not be dismissed

for failure to serve pursuant to Fed. R. Civ. P. 4(m) or for failure to prosecute pursuant to NECivR 41.

DATED November 5, 2008.

BY THE COURT:

s/ *David L. Piester*

David L. Piester  
United States Magistrate Judge